



Texas Department of Insurance

Division of Workers' Compensation

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Memorandum

To: Workers' Compensation System Participants

From: Jeff Carothers, Director, Office of Workers' Compensation Counsel

Date: October 31, 2011

Subject: Informal Stakeholder Meeting: Designated Doctor Procedures and Requirements

The Texas Department of Insurance, Division of Workers' Compensation (TDI-DWC) will hold an informal stakeholder meeting Tuesday, November 15, 2011 at 1:30 p.m. Central Standard Time (CST) in the Tippy Foster Room of the TDI-DWC Central Office, 7551 Metro Center Drive, Suite 100 in Austin, Texas. This informal stakeholder meeting will discuss the informal draft amendments published on October 14, 2011 to 28 Texas Administrative Code (TAC) §§127.1, 127.5, 127.10, 127.20, 127.25, 130.6, 180.23, the informally proposed repeal of §180.21, and informally proposed new §§127.100, 127.110, 127.120, 127.130, 127.140, 127.200, 127.210, and 127.220.

The purpose of the informal draft rules and informal stakeholder meeting is to receive workers' compensation system participant input on amendments that will implement the statutory changes made by House Bill 2605, enacted by the 82nd Legislature, Regular Session, effective September 1, 2011 that affect designated doctor scheduling, certification, and qualifications. Additionally, these informal draft rules seek to implement other changes necessary for the efficient administration of the designated doctor system.

The TDI-DWC provides reasonable accommodations for persons attending meetings, hearings, or educational events, as required by the Americans with Disabilities Act. If you require accommodations in order to attend this informal stakeholder meeting, contact Idalia Salazar at (512) 804-4403 a minimum two business days prior to the confirmed informal stakeholder meeting date.

The informal stakeholder meeting will also be audio streamed. To listen to the audio stream access the Public Outreach Events/Training Calendar posted on the TDI website at <http://www.tdi.texas.gov/wc/events/index.html> and click the link under "Broadcast" for the informal stakeholder meeting. Media Player 7 (or new version) or RealPlayer 10 (or newer version) is required to hear the audio stream. Audio streaming will begin approximately five minutes before the scheduled time of the informal stakeholder meeting.

The informal stakeholder meeting date, time, and location should be confirmed by those interested in attending or listening via audio stream. The informal stakeholder meeting may be confirmed by visiting the Public Outreach Events/Training Calendar posted on the TDI website

at <http://www.tdi.texas.gov/wc/events/index.html>. Written and oral comments provided at the informal stakeholder meeting will be accepted.

The informal working draft may be viewed on the TDI website at <http://www.tdi.texas.gov/wc/rules/drafts.html>. The comment period on the informal proposal closes Friday, November 4, 2011 at 5 p.m. CST. This informal working draft is not a formal rule proposal; accordingly, comments on the draft and at the informal stakeholder meeting will not be treated as formal public comment for the purposes of the Texas Administrative Procedure Act. In addition to commenting on this informal proposal, there will be the opportunity to formally comment once the rules are proposed and published in the *Texas Register*. The TDI-DWC anticipates formal publication of the rules in December 2011. The informal working draft may contain drafting notes and formatting which will be changed as necessary to comply with the *Texas Register* formatting.

Comments may be submitted by e-mailing InformalRuleComments@tdi.state.tx.us or by mailing or delivering the comments to Maria Jimenez at:

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If there are any questions regarding the information in this memo, contact Nicholas Gonzalez at (512) 804-4277 or Nicholas.Gonzalez@tdi.state.tx.us.